

only in response to formal pleadings and evidence presented in official proceedings. The permissible method of communicating with the court about your case is by filing formal pleadings, served on the other party, as discussed above, or in an actual court proceeding where the other party is present to hear what you are relating to the judge or conference officer, who serves as the court's representative at custody conferences.

The only exception to these restrictions is when the court or its staff *requests* you to provide information to assist the court in handling your case. Examples of such court requests are:

- responding to a request by the other party for a continuance;
- furnishing school schedules or vacation plans;
- providing a list of suggested counselors or other experts; or
- submitting proposed custody schedules/arrangements.

Just as with any pleading you file, complete copies of any information you provide the court, even if requested by the court, must be provided at the same time to the other party.

V. FORMS

#	FORM
1.	CUSTODY COMPLAINT
2.	SCHEDULING ORDER
3.	CIVIL COVER SHEET
4(a)	AFFIDAVIT OF SERVICE
4(b)	ACCEPTANCE OF SERVICE
5.	AFFIDAVIT OF SERVICE AND SIGNATURE
6.	CONTINUANCE FORM
7.	COURT ADMINISTRATION COVER SHEET
8.	PRETRIAL MEMORANDUM
9.	ORDER TO RESCHEDULE HEARING
10.	PETITION FOR MODIFICATION OF CUSTODY ORDER

NOTE: PLEASE SEE LOCAL RULE NO. 205.2(a) PHYSICAL CHARACTERISTICS OF LEGAL PAPERS

VI. RULES

- State Rules pertaining to custody can be found in the Pennsylvania Rules of Court beginning at Rule No. 1915.1 through 1915.25.
- County Rules pertaining to custody can be found in the Lancaster County Local Rules specifically Rules beginning at No. 1915.1.
- Procedures pertaining to presentation in Family Business Court are currently in an “Administrative Order” dated August 27, 2004.
- A copy of the Pennsylvania and local Lancaster County Rules of Court and applicable Administrative Orders can be found at the Lancaster County Law Library.

IN THE COURT OF COMMON PLEAS OF LANCASTER COUNTY, PENNSYLVANIA
CIVIL ACTION - LAW

Plaintiff
vs. _____
Defendant

:
:
:
: No. CI-
:
:

COMPLAINT FOR (CUSTODY)(PARTIAL CUSTODY)(VISITATION)

1. The Plaintiff is _____ (name), residing at _____
(address)
_____.

2. The Defendant is _____ (name), residing at

(address)
_____.

3. Plaintiff seeks (custody)(partial physical custody)(visitation) of the following
child/ren:

<u>Name</u>	<u>Present Residence</u>	<u>Age</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

The child/ren (was)(was not) born out of wedlock.

The child/ren (is)(are) presently in the custody of _____ (name) who resides
at _____ (address).

During the past five (5) years, the child/ren (has)(have) resided with the following

persons and at the following addresses:

(List all Persons)	(List all Addresses)	(Dates)
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

The mother of the child/ren is _____, currently residing at _____ (mother's address). She is (married)(divorced)(single).

The father of the child/ren is _____, currently residing at _____ (father's address). He is married. (married)(divorced)(single).

4. The relationship of the Plaintiff to the child/ren is that of _____.

The Plaintiff currently resides with the following persons:

<u>Name</u>	<u>Relationship</u>
_____	_____
_____	_____
_____	_____
_____	_____

5. The relationship of the Defendant to the child/ren is that of _____.

The Defendant currently resides with the following persons:

Name Relationship

_____	_____
_____	_____
_____	_____
_____	_____

6. Plaintiff (has)(has not) participated as a party or witness, or in another capacity, in other litigation concerning the custody of the child/ren in this or another court. The court, term and number, and its relationship to this action is _____

_____.

Plaintiff (has)(has no) information of a custody proceeding concerning the child/ren pending in a court of this Commonwealth. The court, term and number, and its relationship to this action is: _____

_____.

Plaintiff (knows)(does not know) of a person not a party to the proceedings who has physical custody of the child/ren or claims to have custody or visitation rights with respect to the child/ren. The name and address of such person is: _____

_____.

7. The best interest and permanent welfare of the child/ren will be served by granting the relief requested because (set forth facts showing that the granting of the relief requested will be in the best interest and permanent welfare of the child/ren).

_____.

8. Each parent whose parental rights to the child/ren have not been terminated and the person who has physical custody of the child/ren have been named as parties to this action. ALL other persons, named below, who are known to have or claim a right to custody or visitation of the child/ren have been given notice of the pendency of this action and the right to intervene:

<u>Name</u>	<u>Address</u>	<u>Basis of claim</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

WHEREFORE, Plaintiff requests the Court to grant (him)(her) (partial)(primary) physical custody of the child/ren.

By: _____
 _____ (Plaintiff/Defendant)
 _____ (Address)
 _____ (Address)
 _____ (Telephone No.)

Dated: _____

VERIFICATION

I verify that the statements made in this Complaint are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S. §4904, relating to unsworn falsification to authorities.

DATE

Plaintiff/Defendant

IN THE COURT OF COMMON PLEAS OF LANCASTER COUNTY, PENNSYLVANIA
CIVIL ACTION - LAW

Plaintiff
vs. _____
Defendant

:
:
:
:
:
:
:
:
:
:

No. CI-

ORDER OF COURT

You, _____ (Plaintiff/Defendant), have been sued in Court to (obtain) (modify) custody, partial custody or visitation of the following child/children:

1. **You are Ordered** to appear in person at 50 North Duke Street, Lancaster County Courthouse, Lancaster, Pennsylvania, on the ____ day of _____, 20__, at ____ o'clock ____m. for a conciliation conference to be held in Conference Room No. ____ before _____, Custody Conference Officer.

2. **Pending the custody conference:**
(court selects option)

- No temporary Order is requested.
- The Court issues no temporary Order.
- The custody Order _____ (date and reference No.) remains in effect.

With the following revisions (if applicable):

_____ The court enters the following Temporary Order:

3. Required Education Seminar:

(a) All parties named in the caption of the case MUST participate in the custody education seminar approved by the Court at the time the custody action was filed.

(b) Unless specifically directed by Order of Court, no children shall be present at either the custody education seminar or the conciliation conference. For those cases in which the Court directs the party to bring a child or children to the conference, the supervision requirements of Local Rule 1915.5(b) C apply.

(c) Attendance at the custody education seminar will be verified by a certificate which must be presented to the Conference Officer at the beginning of the conciliation conference.

(d) A brochure and registration form identifying the seminar and giving the dates, times and location of the seminar is attached. The registration form and fee MUST be returned promptly to assure timely attendance. All parties must attend the required seminar even if the seminar information was omitted from the attached complaint or petition.

(e) If a brochure and registration form are not attached, call the District Court Administrator at 717/299-8041 or access the Form on the County website which is www.co.lancaster.pa.us/courts.

(f) If you fail to attend the custody education seminar without being excused by Order of Court, you WILL be subject to contempt proceedings.

4. If you fail to appear as provided by this Order, an Order for custody, partial custody or visitation may be entered against you or the Court may issue a warrant for your arrest.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER. IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

LANCASTER BAR ASSOCIATION
LAWYER REFERRAL SERVICE
28 EAST ORANGE STREET
LANCASTER, PA 17602
TELEPHONE: 717 393-0737

AMERICANS WITH DISABILITIES
ACT OF 1990

The Court of Common Pleas of Lancaster County is required by law to comply with the Americans with Disabilities Act of 1990. For information about the accessible facilities and reasonable accommodations available to disabled individuals having business before the Court, please contact our office. All arrangements must be made at least 72 hours prior to any hearing or business before the Court. You must attend the scheduled conference or hearing.

BY THE COURT:

J.

LANCASTER COUNTY
PROTHONOTARY
CIVIL COVER SHEET

PLEASE STAPLE THIS COVER SHEET BEHIND THE STATE-WIDE CIVIL COVER SHEET
(IF APPLICABLE)

ZIP CODES ARE REQUIRED & INFORMATION MUST MATCH PLEADING

CASE ID:

PLAINTIFF'S NAME

VS

DEFENDANT 'S NAME

ADDRESS:

ADDRESS:

TELEPHONE #:

PLEASE LIST NAMES, ADDRESSES OF ADDITIONAL PARTIES ON A SEPARATE SHEET.

Name of Firm and Filing Attorney OR Filing Party, Address, Telephone Number, AOPC Number

Firm:

Filing Attorney/ Party:

AOPC #

Address:

City:

State:

Zip Code:

Telephone Number:

IN THE COURT OF COMMON PLEAS OF LANCASTER COUNTY, PENNSYLVANIA
CIVIL ACTION - LAW

_____	:	
Plaintiff	:	
	:	
vs.	:	No. CI-
	:	
_____	:	
Defendant	:	

AFFIDAVIT OF SERVICE

I, _____, hereby depose and say that on this date, I personally served the above-captioned Defendant, with a Custody Complaint and Order for conference, by personally handing the same to him/her.

I verify that the statements made in this Affidavit are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa. CS. §4904 relating to unsworn falsification to authorities.

Dated: _____

IN THE COURT OF COMMON PLEAS OF LANCASTER COUNTY, PENNSYLVANIA
CIVIL ACTION - LAW

_____	:	
Plaintiff	:	
	:	
vs.	:	No. CI-
	:	
_____	:	
Defendant	:	

ACCEPTANCE OF SERVICE

I, _____, Defendant in the above-captioned action depose and say that on this date, I hereby accept service of the Custody Complaint and Order of conference.

I verify that the statements made in this Affidavit are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa. CS. §4904 relating to unsworn falsification to authorities.

Dated: _____

IN THE COURT OF COMMON PLEAS OF LANCASTER COUNTY, PENNSYLVANIA
CIVIL ACTION - LAW

Plaintiff
vs. _____
Defendant
: : : : :
: : : : :
: : : : :
: : : : :

No. CI-

UNCONTESTED MOTION FOR CONTINUANCE AND WAIVER OF
CUSTODY CASE TIME REQUIREMENTS

Motion is hereby made to continue the above-captioned case scheduled on Date: _____
(date) Time: _____ (time), , Officer/Judge: _____ (name), for a
_____ (Conference or hearing), for reason(s) as follows:
_____ (state reason).

Signature of applying Counsel of Pro Se
Date

Signature of opposing Counsel or Pro Se
Date

By signature of both parties, this is a waiver of the time requirements of PA Rule of Civil Procedure 1915.4 for

- _____ Initial conciliation conference
- _____ Start of hearing
- _____ Completion of hearing

ORDER

AND NOW, this ___ day of _____, 20___, the Motion if granted. The custody
_____ conference or _____ hearing is rescheduled to Date: _____, 20___,
Time: _____, Place: _____, Officer/Judge: _____.

BY THE COURT:

J.

Name _____

CI-

6. A statement of stipulations sought.

7. A statement of requests such as a special time for a witness, courtroom needs, etc.

By: _____

_____ (Plaintiff/Defendant)

_____ (Address)

_____ (Address)

_____ (Telephone No.)

IN THE COURT OF COMMON PLEAS OF LANCASTER COUNTY, PENNSYLVANIA
CIVIL ACTION - LAW

Plaintiff
vs.

Defendant

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No. CI-

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this date, a true and correct copy of the foregoing Custody Pretrial Memorandum was served by first class mail to the following:

_____ (Plaintiff/Defendant)

_____ (Address)

_____ (Address)

By: _____
_____ (Plaintiff/Defendant)
_____ (Address)
_____ (Address)
_____ (Telephone No.)

Dated: _____

IN THE COURT OF COMMON PLEAS OF LANCASTER COUNTY, PENNSYLVANIA
CIVIL ACTION - LAW

Plaintiff
vs.

Defendant

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No. CI-

ORDER

AND NOW, this ____ day of _____, 20____, the Court Orders and Directs that the custody hearing presently scheduled for _____ (date), is hereby rescheduled to _____, 20____, at _____ o'clock ____m. in Courtroom No. ____ of the Lancaster County Courthouse, 50 North Duke Street, Lancaster, Pennsylvania.

Petitioner waives the time requirements of Pa. R.C.P. 1915.4.

BY THE COURT:

J.

cc: _____

IN THE COURT OF COMMON PLEAS OF LANCASTER COUNTY, PENNSYLVANIA
CIVIL ACTION - LAW

Plaintiff
vs. _____
Defendant

:
:
:
: No. CI-
:
:

PETITION FOR MODIFICATION OF A PARTIAL CUSTODY/OR
VISITATION ORDER

1. The Petition of _____ respectfully represents that on _____, _____, an Order of Court was entered for (partial custody)(visitation), a true and correct copy of which is attached.

2. The Order should be modified because:

_____.

WHEREFORE, Plaintiff requests that the Court modify the existing Order for (partial)(primary) physical custody of the child/ren because it will be in the best interest of the children.

By: _____

_____ (Plaintiff/Defendant)

_____ (Address)

_____ (Address)
_____ (Telephone No.)

Dated: _____

Name _____

CI-

VERIFICATION

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DATE

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CIVIL ACTION - LAW

Plaintiff
vs. _____
Defendant

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: No. CI-
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J.